

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES
AND NOTICE OF PUBLIC HEARING**

Chapter 250-6 Establishment/Crematory Licensure and Regulations
Rule 250-6-.07. Crematory Inspections. Amended

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-6 Establishment/Crematory Licensure and Regulations, Rule 250-6-.07. Crematory Inspections. Amended (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at <http://sos.ga.gov/index.php/licensing/plb/30>, or by contacting the Board at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-72; 43-18-75; and 43-18-76. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-72; 43-18-75; and 43-18-76 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

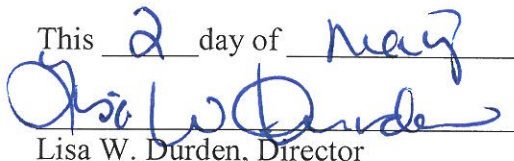
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The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt the proposed rule amendment to 250-6-.07 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-25; 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-72; 43-18-75; and 43-18-76.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.



Lisa W. Durden, Director
Professional Licensing Boards

Posted: 5/2/2018

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SYNOPSIS OF PROPOSED CHANGES TO THE RULES
CHAPTER 250-6 Establishment/Crematory Licensure and Regulations,
Rule 250-6-.07. Crematory Inspections. Amended

Purpose: The purpose of this amendment is to remove and add text to make the rule easier to understand and read, and to replace archaic pronouns.

Main Features: The main features of this amendment are capitalization corrections, pronoun substitutions, and added language to clarify license display requirement.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE RULE
Chapter 250-6 Establishment/Crematory Licensure and Regulations
Rule 250-6-.07. Crematory Inspections. Amended

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-6 Establishment/Crematory Licensure and Regulations
Rule 250-6-.07. Crematory Inspections. Amended

- (1) A representative of the Board shall regularly inspect crematories no less frequently than annually between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday. ~~Although the~~ The funeral director in full and continuous charge need not be present for the inspection, but the crematory must be open during these hours for inspection. Requirements of inspections are as follows:
- (a) A room with seating for a minimum of thirty (30) people in which funeral services may be conducted; the fine for a violation under this subsection shall be \$100.00;
 - (b) A display room containing an adequate supply of urns; the fine for a violation under this subsection shall be \$50.00;
 - (c) One (1) operable motor hearse with current Georgia registration for the transportation of human remains which must be either owned or leased by said firm; the fine for a violation under this subsection shall be \$100.00;
 - (d) At least one (1) operable retort for cremation; the fine for a violation of this subsection shall be \$200.00;
 - (e) At least one (1) operable processing station for grinding of cremated remains; ~~The~~ the fine for a violation of this subsection shall be \$200.00;
 - (f) At least one (1) church truck; the fine for a violation of this subsection shall be \$50.00;

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- (g) A current license for the crematory and funeral director, which must be conspicuously displayed; the fine for a violation of this subsection shall be \$100.00;
 - (h) The provisions of paragraphs (a), (b), and (f) of this Rule shall not apply to crematories which provide cremation services only to other funeral establishments; and
 - (i) The Funeral Director in Full and Continuous Charge for each crematory shall conspicuously display ~~his/her~~ their name and ~~current valid active~~ license in all designated arrangement rooms; the fine for a violation of this subsection shall be \$100.00.
- (2) A representative of the Board shall be authorized to obtain information on the retort used by the establishment for cremations. ~~Such~~ The information shall include, but not be limited to:
- (a) Make and model of the retort;
 - (b) Manufacturer's name;
 - (c) Year installed;
 - (d) Date of most recent manufacturer's inspection;
 - (e) Copy of most recent inspection report from manufacturer; and
 - (f) Documentation regarding necessary repairs to the retort.
- (3) The Board shall require crematories to have annual inspections of the retort by the manufacturer or other authorized crematory repair company to ensure proper operations. The Funeral Director in Full and Continuous Charge shall notify the Board within 5 (five) days of the inspection of a less than satisfactory report by presenting the Board with a copy of the inspection report. The Board shall require crematories to make necessary repairs to the retort immediately, not to exceed thirty (30) days without approval by the Board. Any crematory that does not make the necessary repairs noted on the manufacturer's inspection within the time allowed by the Board shall be subject to immediate suspension of licensure until the Board is satisfied that proper repairs have been made.
- (4) The Board shall require the Funeral Director in Full and Continuous Charge to be certified as crematory operator from a course approved by the Board.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-72; 43-18-75; and 43-18-76

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 - (b) A display room containing an adequate supply of urns; the fine for a violation under this subsection shall be \$50.00;
 - (c) One (1) operable motor hearse with current Georgia registration for the transportation of human remains which must be either owned or leased by said firm; the fine for a violation under this subsection shall be \$100.00;
 - (d) At least one (1) operable retort for cremation; the fine for a violation of this subsection shall be \$200.00;
 - (e) At least one (1) operable processing station for grinding of cremated remains; the fine for a violation of this subsection shall be \$200.00;
 - (f) At least one (1) church truck; the fine for a violation of this subsection shall be \$50.00;
 - (g) A current license for the crematory and funeral director, which must be conspicuously displayed; the fine for a violation of this subsection shall be \$100.00;
 - (h) The provisions of paragraphs (a), (b), and (f) of this Rule shall not apply to crematories which provide cremation services only to other funeral establishments; and
 - (i) The Funeral Director in Full and Continuous Charge for each crematory shall conspicuously display their name and valid license in all designated arrangement rooms; the fine for a violation of this subsection shall be \$100.00.
- (2) A representative of the Board shall be authorized to obtain information on the retort used by the establishment for cremations. The information shall include, but not be limited to:
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